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CRL OP(MD). N



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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 26/07/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.13426 of 2022

(*)1. Babu @ Balaji

2. Anish ... Petitioners/Accused No.1 & 2
Vs

State Rep.by
The Inspector of Police,
Vadaseri Police Station,
Vadaseri,
Kanyakumari District.
Crime.No.182 of 2022. ... Respondent/Complainant

For Petitioners : MR.B.PRAHALAD RAVI, Advocate.

For Respondent : Mr.B.Thanga Aravindh,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

PRAYER :-

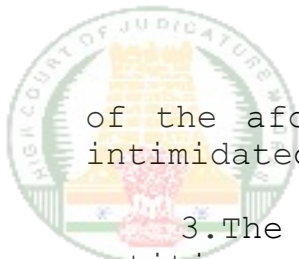
For Anticipatory Bail in Crime No.182 of 2022 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioners are facing charges under Sections 147, 294(b), 342 and 506(2) IPC in Crime No.182 of 2022 on the file of the respondent police.

2.The case of the prosecution is that the defacto complainant is a practising Advocate in Nagercoil. Before the Family Court, Nagercoil, DOP.No.1134 of 2022 is pending between one Mahesh and his wife. There was compromise between the parties in the presence of the Advocate and the wife agreed to get her articles back. On the basis of the aforesaid compromise, on 01.07.2022 at about 04.00 pm., he along with his junior Advocate went to the house of the accused person along with the aforesaid wife. When they demanded compliance

<https://www.mhc.tn.gov.in/judis>



of the aforesaid compromise, they were abused and also c. ly intimidated, based upon which the case has been registered.

3.The learned counsel for the petitioners submits that the petitioners are noway involved in the dispute between the defacto complainant and the other accused persons, who are the parties in the aforesaid matrimonial proceeding. He would further submit that this Court had granted anticipatory bail to the co-accused in Crl.O.P(MD).No.12452 of 2022 dated 18.07.2022.

4.Since the petitioners are not involved in the dispute between the husband and wife and the grant of anticipatory bail to the co-accused, this Court is inclined to grant anticipatory bail to the petitioners.

5.Accordingly, this Criminal Original Petition is allowed and the petitioners are ordered to be released on bail in the event of arrest or on their appearance, before the Judicial Magistrate Court, Valliyoor, Tirunelveli District, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each, with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and the petitioners shall appear before the respondent police daily at 10.30 a.m. until further orders. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

6.The petitioners shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail shall stand dismissed.

sd/-
26/07/2022

**(*)Amended as per order of this
Court dated 02.01.2023 in CRL MP(MD)
No.16415 of 2022 in CRL OP(MD)
No.13426 of 2022 by ADJCJ**

**Further two week time is granted to
the petitioner to comply with the
conditions imposed by this Court
from the date of receipt of a copy
of this order as last chance.**

/ TRUE COPY /

/01/2023

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.



Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

TO BE SUBSTITUTED WITH THE ORDER DATED 26/07/2022 ALREADY DESPATCHED

- 1 THE JUDICIAL MAGISTRATE,
VALLIYOOR,
TIRUNELVELI DISTRICT.
- 2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT.
- 3 THE INSPECTOR OF POLICE
VADASERI POLICE STATION, VADASERI,
KANYAKUMARI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.B.PRAHALAD RAVI, Advocate SR-139

ORDER
IN
CRL OP(MD) No.13426 of 2022
Date :26/07/2022

PKP/SVR/SAR-2/02.08.2022/3P/6C
RK/SSS/SAR-3(11/01/2023) 3P/6C